

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X		
UNITHAI MARITIME LIMITED,	:	
	:	
Plaintiff,	:	07 CV 5730 (BSJ)
	:	
v.	:	
	:	
RP LOGISTICS PVT. LTD. and	:	
R. PIYARELALL INTERNATIONAL	:	
PVT. LTD.	:	
Defendants.	:	
-----X		

**MOTION FOR LEAVE TO FILE AMENDED VERIFIED COMPLAINT
(FED. R. CIV. P. 15(a))**

Relief Sought

Plaintiff, UNITHAI MARITIME, LTD. (hereinafter referred to as "Plaintiff"), respectfully moves this court for leave to file an Amended Verified Complaint, a copy of which is attached to this motion as Exhibit 1.

Grounds for Relief

1. Plaintiff makes this motion in order to correct an inadvertent typing error. Due to a scrivener's error, paragraph 4 of the Verified Complaint incorrectly states that "Plaintiff was, at all relevant times, the demise owner of the vessel...." Paragraph 4 of the Verified Complaint should have read "Plaintiff was, at all relevant times, the disponent owner of the vessel..."

2. Prior to filing this motion, on July 19, 2007, Plaintiff requested that Defendants, RP LOGISTICS PVT. LTD. and R. PIYARELALL INTERNATIONAL PVT. LTD., stipulate to the filing of the Amended Verified Complaint. However, as shown in the supporting affidavit of counsel, in reply correspondence of July 19, 2007, Defendants' counsel indicated he would not

consent to the filing of an Amended Verified Complaint.

3. In the interests of justice, Plaintiff respectfully requests it be permitted to correct the scrivener's contained in Paragraph 4 of the Verified Complaint.

4. The filing of this Amended Verified Complaint will not cause prejudice to the Defendants, the Plaintiff has not acted in bad faith, and the amendment is not futile.

Supporting Papers

This motion is based on the pleadings and papers on file in this action, this motion, the attached Notice of Motion and Exhibit 1, the accompanying Memorandum of Law in Support of Motion for Leave to File Amended Verified Complaint and affidavit of Lawrence G. Cohen, as well as whatever evidence and argument is presented at the hearing of this motion.

Dated: July 25, 2007

Respectfully Submitted,

/S/ Lawrence G. Cohen

Lawrence G. Cohen (NY Bar No. LC3226)
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Ethan G. Ostroff (Of Counsel)

Attorneys for Unithai Maritime Limited

CERTIFICATE OF SERVICE BY ECF

The undersigned declares under penalty of perjury that the following is true and correct:

1. I am over the age of eighteen years and I am not a party to this action.
2. On July 25, 2007, I served a complete copy of Unithai Maritime Ltd.'s Motion for Leave to File Amended Verified Complaint to the following attorneys by ECF at their ECF registered addresses:

CHALOS O'CONNOR & DUFFY, LLP
366 MAIN STREET
PORT WASHINGTON, NEW YORK 11050

By: /S/ Lawrence G. Cohen
Lawrence G. Cohen

Dated: July 25, 2007
Norfolk, Virginia